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PART III—Section 1.

NOTIFICATIONS BY GOVERNMENT.

CHIEF SECRETARIAT.

No. Bl. 5011—R.A. 30-82-2, dated 8th February 1933.

The Government of His Highness the Maharaja are pleased to direct that for Rule 8 of the Rules published under Notification No. R. 6526—R.A. 41-28-1, dated 28th May 1924, governing the working of the three Standing Committees constituted under paragraph 54 of the Government Order No. 1367-1426—C.B. 100-28-1, dated 27th October 1928, the following shall be substituted:—

(8) Exclusive of the Chairman and the Secretary, each Standing Committee will consist of six members of whom four shall be members of the Representative Assembly and the remaining two of the Legislative Council. The members will be selected by Government out of a panel of fifteen members to be elected by ballot by the Representative Assembly and ten members to be similarly elected by the non-official members of the Legislative Council. The election of these members for the panels shall be made according to the principle of proportional representation by the single transferable vote and votes shall be given and counted and the result determined in accordance with the rules framed for the election of eight members from the Representative Assembly to the Legislative Council and appended as Appendix A to Notification No. Bl. 5010—L.C. 12-82-1, dated 8th February 1933.

No. Bl. 5012—L. C. 12-82-2, dated 8th February 1933.

In exercise of the powers vested in them under section 6 of the Mysore Legislative Council Regulation, XIX of 1928, the Government of His Highness the Maharaja are pleased to amend as hereunder Rule 28 (2) of the rules for the conduct of business and procedure to be followed in the Legislative Council issued under Notification No. P. 4847—Legis. 13-28-22, dated 5th February 1924:—

28 (2). Exclusive of the Chairman, the total strength of the Committee on Public Accounts shall be six of whom two-thirds shall be elected by the non-official members of the Council and the remaining one-third nominated by the Government. The election of these members for the committee shall be made according to the principle of proportional representation by the single transferable vote and votes shall be given and counted and the result determined in accordance with the rules framed for the election of eight members from the Representative Assembly to the Legislative Council and appended as Appendix A to Notification No. Bl. 5010—L. C. 12-82-1, dated 8th February 1933, provided that the said rules shall not apply to by-elections.

No. Bl. 5009—B. A. 88-22-1, dated 8th February 1988.

In exercise of the powers vested in them under section 6 of the Mysore Representative Assembly Regulation, XVIII of 1928, the Government of His Highness the Maharaja are pleased to amend, as hereunder, the rules regarding the conduct of elections of the members of the Representative Assembly from the Urban constituencies issued under Notification No. Rel. 527—R. A. 88-22-1, dated 8th January 1986, so far as they relate to the Bangalore City Urban Constituency and the Mysore City Urban Constituency respectively:—

I. In rule 32, insert the following as sub-clause (iii) and renumber sub-clauses (iii) and (iv) as (iv) and (v):—

"In the Bangalore City Urban Constituency and the Mysore City Urban Constituency, the election shall be according to the principle of proportional representation by means of the single transferable vote and votes shall be given and counted and the result determined in accordance with the rules in Appendix A, provided that the said rules shall not apply to by-elections."

II. Add the following as Appendix A at the end of the rules issued with the above Notification:—

APPENDIX A

RULES FOR THE HOLDING OF ELECTIONS ACCORDING TO THE PRINCIPLE OF PROPORTIONAL REPRESENTATION BY MEANS OF THE SINGLE TRANSFERABLE VOTE.

Definitions.

(1) "continuing candidate" means any candidate not elected and not excluded from the poll;

(2) "first preference" means the figure "1," "second preference" means the figure "2," "third preference" means the figure "3," set opposite the name of any candidate, and so on;

(3) "non-transferable paper" means a ballot paper on which no second or subsequent preference is recorded for a continuing candidate;

Provided that a paper shall be deemed to be a non-transferable paper in any case in which—

(a) the names of two or more candidates (whether continuing or not) are marked with the same figure, and are next in order of preference; or

(b) the name of the candidate next in order of preference (whether continuing or not) is marked—

(i) by a figure not following consecutively after some other figure on the ballot paper; or

(ii) by two or more figures;

The fact that a voter has not marked every preference correctly does not invalidate the whole of his preferences. His paper is only treated as non-transferable when the wrongly marked preference is reached. The following are examples:—

| | |
|-------------------------------------|--|
| (1) A 1 B 2 C 3 D 4 E 5 | (2) A 1 B 2 C 3 D 5 E 6 F 0 |
|-------------------------------------|--|

In case (1), the preferences for A and B would be valid. If the third preference were reached, the paper would be treated as non-transferable, as it would be impossible to say for which candidate the voter really intended to give his third preference. In case (2), the preferences for A, B and C would be valid, but not the later ones, whether D had been elected, or excluded or was still a continuing candidate. It is possible that the voter meant to give a fourth preference for some other candidate, e.g., F, but omits to do so. It would not be possible to treat 5 as being meant to be 4.

(4) "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate;

(5) "surplus" means the number of votes by which the total number of the votes, original and transferred, credited to any candidate, exceeds the quota;

(6) "transferable paper" means a ballot paper on which a second or subsequent preference is recorded for a continuing candidate;

(7) "transferred vote" in regard to any candidate means a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate.

2. The Returning Officer shall, subject to these rules, do all things necessary for the conduct of the election.

3. The voting shall be by ballot. The polling officer shall ascertain that the person desiring to vote is an elector who has not already voted, and shall enter his name upon the counterfoil of a ballot paper in a ballot paper book which shall be provided for the purpose of the election, and shall then tear out the ballot paper corresponding to that counterfoil, and hand it to the elector. Every ballot paper shall contain the names of all the candidates for election arranged alphabetically in the form annexed to these rules.

4. (1) Every elector shall have one vote only.

conduct of election.

Ballot Paper.

Method of voting.

(2) An elector in giving his vote—

(a) must place on his ballot paper the figure 1 in the square opposite the name of the candidate for whom he votes;

(b) may in addition place on his ballot paper the figure 2 or the figures 3 and 3, or 2, 3, and 4, and so on, in the squares opposite the names of other candidates in the order of his preference.

5. A ballot paper shall be invalid—

Invalid ballot paper.

(a) upon which a member signs his name or writes any word, or makes any mark by which it becomes recognisable; or

(b) on which the figure 1 is not marked; or

(c) on which the figure 1 is set opposite the name of more than one candidate; or

(d) on which the figure 1 and some other figure is set opposite the name of the same candidate;

(e) which is unmarked or void for uncertainty.

6. (a) After the close of the poll, the Polling Officer, if he is also the Returning Officer, shall forthwith have the voting papers scrutinised and the votes counted and announce the results, provided that where this is not practicable or the ballot box has to be sent to the Returning Officer who is elsewhere for counting, the Polling Officer shall have the box sealed with his own seal, as well as those of such of the candidates or their agents as may wish to do so and arrange for their safe custody and thereafter take up, at the appointed time and place the scrutiny and counting of votes or despatch the box to the Returning Officer.

(b) The Returning Officer shall as soon as may be practicable after the close of the poll, appoint a date, time and place for the counting of votes and shall give notice in writing thereof to the candidates or their election agents.

(c) The box or boxes aforesaid shall be opened in a place to which candidates or their agents shall have access.

(d) The Returning Officer shall examine the ballot papers and, after rejecting any that are invalid, shall arrange the remainder in parcels according to the first preferences recorded for each candidate.

Counting of votes.

7. The Returning Officer shall then count the number of papers in each parcel; and credit each candidate with one vote in respect of each valid paper on which a first preference has been recorded for him, and he shall ascertain the total number of valid papers.

Ascertainment of quota.

8. The Returning Officer shall then divide the total number of valid papers by a number exceeding by one the number of vacancies to be filled, and the result increased by one, disregarding any fractional remainder, shall be the number of votes sufficient to secure the return of a candidate (hereinafter called the "quota").

Candidate with quota elected.

9. If at any time the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall be declared elected.

Transfer of surplus.

10. (1) If at any time the number of votes credited to a candidate is greater than the quota, the surplus shall be transferred in accordance with the provisions of this rule to the continuing candidates indicated on the ballot papers in the parcel of the elected candidate as being next in order of the voters' preference.

(2) (a) If the votes credited to an elected candidate consist of original votes only, the returning officer shall examine all the papers in the parcel of the elected candidate whose surplus is to be transferred and shall arrange the transferable papers in sub-parcels according to the next preferences recorded thereon.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the Returning Officer shall examine the papers contained in the sub-parcel last received by the elected candidate and shall arrange the transferable papers therein in further sub-parcels according to the next preferences recorded thereon.

(c) in either case the Returning Officer shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers and in the sub-parcel of non-transferable papers.

(3) If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus, the Returning Officer shall transfer each sub-parcel of transferable papers to the continuing candidate indicated thereon as the voters' next preference.

(4) (a) If the total number of transferable papers is greater than the surplus, the Returning Officer shall transfer from each sub-parcel the number of papers which bears the same proportion to the number of papers in the sub-parcel as the surplus bears to the total number of transferable papers.

(b) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional parts, if any, of each number so ascertained.

(c) If, owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus, shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

(d) The particular papers to be transferred from each sub-parcel shall be those last filed in the sub-parcel.

(e) Each paper transferred shall be marked in such a manner as to indicate the candidate from and to whom the transfer is made.

(5) (a) If more than one candidate has a surplus, the largest surplus shall be first dealt with.

(b) If two or more candidates have each the same surplus, regard shall be had to the number of original votes obtained by each candidate, and the surplus of the candidate credited with the largest number of original votes shall be first dealt with, and, if the numbers of the original votes are equal, the Returning Officer shall decide by lot which surplus shall be dealt with first.

(c) The Returning Officer need not transfer the surplus of an elected candidate when that surplus together with any other surplus not transferred does not exceed the difference between the totals of the votes credited to the two continuing candidates lowest on the poll.

11. (1) If at any time no candidate has a surplus (or when under the preceding rule any existing surplus need not be transferred), and one or more vacancies remain unfilled, the Returning Officer shall exclude from the poll the candidate credited with the lowest number of votes, and shall examine all the papers of that candidate, and shall arrange the transferable papers in sub-parcels according to the next preferences recorded thereon for continuing candidates, and shall transfer each sub-parcel to the candidate for whom that preference is recorded.

(2) If the total of the votes of the two or more candidates lowest on the poll, together with any surplus votes not transferred, is less than the votes credited to the next highest candidate, the Returning Officer may in one operation exclude those candidates from the poll and transfer their votes in accordance with the preceding regulation.

(3) If, when a candidate has to be excluded under this rule, two or more candidates have each the same number of votes and are lowest on the poll, regard shall be had to the number of original votes credited to each of those candidates, and the candidate with fewest original votes shall be excluded, and, where the numbers of the original votes are equal, regard shall be had to the total number of votes credited to those candidates at the first transfer at which they had an unequal number of votes, and the candidate with the lowest number of votes at that transfer shall be excluded, and, where the numbers of votes credited to those candidates were equal at all transfers, the Returning Officer shall decide by lot which shall be excluded.

12. (1) Whenever any transfer is made under any of the preceding rules, each sub-parcel of papers transferred shall be added to the parcel, if any, of papers of the candidate to whom the transfer is made, and that candidate shall be credited with one vote in respect of each paper transferred. Such papers as are not transferred shall be set aside as finally dealt with; and the votes given thereon shall thenceforth not be taken into account.

(2) If after any transfer a candidate has a surplus, that surplus shall be dealt with in accordance with and subject to the provisions contained in Rule 10, before any other candidate is excluded.

13. (1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled, and the votes of some one continuing candidate exceed the total of all the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(3) When the last vacancies can be filled under this rule, no further transfer of votes need be made.

14. Any candidate or his agent may, at any time during the counting of the votes, either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise), request the Returning Officer to re-examine and recount the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with), and the Returning

Exclusion of
candidates
lowest on
the poll.

Disposition of
papers after
any transfer

Filling the
last
vacancies.

Provision
for
recounts.

Officer shall forthwith re-examine and recount the same accordingly. The Returning Officer may also at his discretion recount votes either once or more often in any case in which he is not satisfied as to the accuracy of any previous count: Provided that nothing herein shall make it obligatory on the Returning Officer to recount the same votes more than once.

Return to be prepared by Returning Officer:

- (i) the number of valid votes given to each candidate;
- (ii) the number of votes declared invalid and rejected;
- (iii) the names of the persons declared elected.

If any question arises as to the interpretation and working of these rules otherwise than in connection with an election enquiry held under the rules thereof, the question shall be referred for the decision of Government and that decision shall be final.

FORM I.

FORM OF BALLOT PAPER.

Election for
Counterfoil

No.

Serial Number

Number of Polling
Station.

Number of elector on
electoral roll.

| Names of candidates. | Symbol | Mark Order of Preference in spaces below |
|-------------------------|--------|--|
| A | | |
| B | | |
| C | | |
| D | | |
| E | | |
| F | | |

Instructions to electors.

A. Each elector has one vote and one vote only.

B. The elector votes—

- (a) by placing the figure "1" opposite the name of his first choice.

He is also invited to place—

- (b) the figure "2" opposite the name of his second choice;
- (c) the figure "3" opposite the name of his third choice, and so on, numbering as many candidates as he pleases in order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.

N.B.—The vote will be spoilt if the figure "1" is placed opposite the name of more than one candidate.

No. RL 5010—L. G. 12-3241, dated 6th February 1938.

In exercise of the powers vested in them under section 6 of the Mysore Legislative Council Regulation, XIX of 1928, the Government of His Highness the Maharaja are pleased to amend, as hereunder, the rules regarding the conduct of election of 8 members from the Representative Assembly to the Legislative Council issued under Notification No. RL 529—L. G. 12-29-I, dated 7th January 1930:—

(i) In rule 86, for sub-clauses 5 and 6, substitute the following:—

5. The election shall be made according to the principle of proportional representation by means of the single transferable vote, and votes shall be given and counted in accordance with the rules in Appendix A. Provided that the said rules shall not apply to bye-elections.

6. The Secretary of the Representative Assembly or such other officer as may be deputed by Government in that behalf shall conduct the election and submit to Government the names of the candidates voted for, the votes secured by each candidate calculated in accordance with the rules in Appendix A.

The candidates who have secured the largest number of votes determined in accordance with the rules in Appendix A shall be considered elected and their names shall be notified by Government in the official Gazette and shall also be posted in a conspicuous place in the Assembly Hall, if the Assembly is sitting.

(ii) Add the following rules as Appendix A to the rules issued under the above-mentioned notification:—

APPENDIX A.

RULES FOR THE HOLDING OF ELECTIONS ACCORDING TO THE PRINCIPLE OF PROPORTIONAL REPRESENTATION BY MEANS OF THE SINGLE TRANSFERABLE VOTE.

1. In these rules:—

(1) "continuing candidate" means any candidate not elected and not excluded from the poll;

(2) "first preference" means the figure "1", "second preference" means the figure "2", "third preference" means the figure "3" set opposite the name of any candidate, and so on;

(3) "non-transferable paper" means a ballot paper on which no second or subsequent preference is recorded for a continuing candidate.

Provided that a paper shall be deemed to be a non-transferable paper in any case in which—

(a) the names of two or more candidates (whether continuing or not) are marked with the same figure, and are next in order of preference; or

(b) the name of the candidate next in order of preference (whether continuing or not) is marked—

(i) by a figure not following consecutively after some other figure on the ballot paper; or

(ii) by two or more figures;

Definitions.

* The fact that a voter has not marked every preference correctly does not invalidate the whole of his preferences. His paper is only treated as non-transferable when the wrongly marked preference is recalled. The following are examples:—

| | |
|---------|---------|
| A 1 | A 1 |
| B 2 | B 2 |
| (1) C 3 | (1) C 3 |
| D 4 | D 5 |
| E 4 | E 6 |

In case (1), the preferences for A and B would be valid. If the third preference were recalled, the paper would be treated as non-transferable, as it would be impossible to say for which candidate the voter really intended to give his third preference. In case (2), the preferences for A, B and C would be valid, but not the later ones, whether D had been elected or excluded or was still a continuing candidate. It is possible that the voter meant to give a fourth preference for some other candidate, e.g., F, but omitted to do so. It would not be possible to treat 5 as being meant to be 4.

(4) "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate;

(5) "surplus" means the number of votes by which the total number of the votes, original and transferred, credited to any candidate, exceeds the quota;

(6) "transferable paper" means a ballot paper on which a second or subsequent preference is recorded for a continuing candidate;

(7) "transferred vote" in regard to any candidate means a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate.

Conduct of Elections.

Ballot Paper.

8. The voting shall be by ballot. The polling officer shall ascertain that the person desiring to vote is an elector who has not already voted, and shall enter his name upon the counterfoil of a ballot paper in a ballot paper book which shall be provided for the purpose of the election, and shall then tear out the ballot paper corresponding to that counterfoil, and hand it to the elector. Every ballot paper shall contain the names of all the candidates for election arranged alphabetically in the form annexed to these rules.

Method of Voting.

4. (1) Every elector shall have one vote only.

(2) An elector in giving his vote—

(a) must place on his ballot paper the figure 1 in the square opposite the name of the candidate for whom he votes;

(b) may in addition place on his ballot paper the figure 2 or the figures 2 and 3, or 2, 3, and 4, and so on, in the squares opposite the names of other candidates, in the order of his preference.

Invalid Ballot Papers.

5. A ballot paper shall be invalid—

(a) upon which a member signs his name or writes any word, or makes any mark by which it becomes recognisable; or

(b) on which the figure 1 is not marked; or

(c) on which the figure 1 is set opposite the name of more than one candidate; or

(d) on which the figure 1 and some other figure is set opposite the name of the same candidate; or

(e) which is unmarked or void for uncertainty.

Scrutiny and Arrangement of Ballot Papers.

6. (a) After the close of the poll, the Polling Officer, if he is also the Returning Officer, shall forthwith have the voting papers scrutinised and the votes counted and announce the results, provided that where this is not practicable or the ballot box has to be sent to the Returning Officer who is elsewhere for counting, the Polling Officer shall have the box sealed with his own seal, as well as those of such of the candidates or their agents as may wish to do so and arrange for their safe custody and thereafter take up, at the appointed time and place, the scrutiny and counting of votes or despatch the box to the Returning Officer.

(b) The Returning Officer shall as soon as may be practicable after the close of the poll, appoint a date, time and place for the counting of votes and shall give notice in writing thereof to the candidates or their election agents.

(c) The box or boxes aforesaid shall be opened in a place to which candidates or their agents shall have access.

(d) The Returning Officer shall examine the ballot papers and, after rejecting any that are invalid, shall arrange the remainder in parcels according to the first preferences recorded for each candidate.

7. The Returning Officer shall then count the number of papers in each parcel, and credit each candidate with one vote in respect of each valid paper on which a first preference has been recorded for him, and he shall ascertain the total number of valid papers.

8. The Returning Officer shall then divide the total number of valid papers by a number exceeding by one the number of vacancies to be filled, and the result increased by one, disregarding any fractional remainder, shall be the number of votes sufficient to secure the return of a candidate (hereinafter called the "quota").

9. If at any time the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall be declared elected.

10. (1) If at any time the number of votes credited to a candidate is greater than the quota, the surplus shall be transferred in accordance with the provisions of this rule to the continuing candidates indicated on the ballot papers in the parcel of the elected candidate as being next in order of the voters' preference.

(2) (a) If the votes credited to an elected candidate consist of original votes only, the Returning Officer shall examine all the papers in the parcel of the elected candidate whose surplus is to be transferred and shall arrange the transferable papers in sub-parcels according to the next preference recorded thereon.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the Returning Officer shall examine the papers contained in the sub-parcel last received by the elected candidate and shall arrange the transferable papers therein in further sub-parcels according to the next preference recorded thereon.

(c) In either case the Returning Officer shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers and in the sub-parcel of non-transferable papers.

(3) If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus, the Returning Officer shall transfer each sub-parcel of transferable papers to the continuing candidate indicated thereon as the voter's next preference.

(4) (a) If the total number of transferable papers is greater than the surplus, the Returning Officer shall transfer from each sub-parcel the number of papers which bears the same proportion to the number of papers in the sub-parcel as the surplus bears to the total number of transferable papers.

(b) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional parts, if any, of each number so ascertained.

(c) If, owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus, shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

(d) The particular papers to be transferred from each sub-parcel shall be those last filed in the sub-parcel.

(e) Each paper transferred shall be marked in such a manner as to indicate the candidate from and to whom the transfer is made.

(5) (a) If more than one candidate has a surplus, the largest surplus shall be first dealt with.

Counting of
Votes.Ascertain-
ment of
Quota.Candidates
with Quota
Elected.Transfer of
Surplus.

(b) If two or more candidates have each the same surplus, regard shall be had to the number of original votes obtained by each candidate, and the surplus of the candidate credited with the largest number of original votes shall be first dealt with, and, if the numbers of the original votes are equal, the Returning Officer shall decide by lot which surplus shall be dealt with first.

(c) The Returning Officer need not transfer the surplus of an elected candidate when that surplus together with any other surplus not transferred does not exceed the difference between the totals of the votes credited to the two continuing candidates lowest on the poll.

Exclusion of candidates lowest on the poll.

11. (1) If at any time no candidate has a surplus (or when under the preceding rule any existing surplus need not be transferred), and one or more vacancies remain unfilled, the Returning Officer shall exclude from the poll the candidate credited with the lowest number of votes, and shall examine all the papers of that candidate, and shall arrange the transferable papers in sub-parcels according to the next preferences recorded thereon for continuing candidates, and shall transfer each sub-parcel to the candidate for whom that preference is recorded.

(2) If the total of the votes of the two or more candidates lowest on the poll, together with any surplus votes not transferred, is less than the votes credited to the next highest candidate, the Returning Officer may in one operation exclude those candidates from the poll and transfer their votes in accordance with the preceding regulation.

(3) If, when a candidate has to be excluded under this rule, two or more candidates have each the same number of votes and are lowest on the poll, regard shall be had to the number of original votes credited to each of those candidates, and the candidate with fewest original votes shall be excluded, and, where the numbers of the original votes are equal, regard shall be had to the total number of votes credited to those candidates at the first transfer at which they had an unequal number of votes, and the candidate with the lowest number of votes at that transfer shall be excluded, and, where the numbers of votes credited to those candidates were equal at all transfers, the Returning Officer shall decide by lot which shall be excluded.

Disposition of papers after any transfer.

12. (1) Whenever any transfer is made under any of the preceding rules, each sub-parcel of papers transferred shall be added to the parcel, if any, of papers of the candidate to whom the transfer is made, and that candidate shall be credited with one vote in respect of each paper transferred. Such papers as are not transferred shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(2) If after any transfer a candidate has a surplus, that surplus shall be dealt with in accordance with and subject to the provisions contained in Rule 10 before any other candidate is excluded.

Filling the last vacancies.

13. (1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled, and the votes of some one continuing candidate exceed the total of all the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(3) When the last vacancies can be filled under this rule, no further transfer of votes need be made.

Provision for recounts.

14. Any candidate or his agent may, at any time during the counting of the votes, either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise), request the Returning Officer to re-examine and recount the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with), and the

Returning Officer shall forthwith re-examine and recount the same accordingly. The Returning Officer may also at his discretion recount votes either once or more often in any case in which he is not satisfied as to the accuracy of any previous count. Provided that nothing herein shall make it obligatory on the Returning Officer to recount the same votes more than once.

15. The Returning Officer shall prepare and certify a return setting forth:

- (i) the number of valid votes given to each candidate;
- (ii) the number of votes declared invalid and rejected;
- (iii) the names of the persons declared elected.

Return to be prepared by returning officer.

16. If any question arises to the interpretation and working of these rules otherwise than in connection with an election enquiry held under the rules thereof, the question shall be referred for the decision of Government and that decision shall be final.

Interpretation in case of doubt.

FORM I.

Form of Ballot Paper.

Election for.....
Counterfoil No.

| Serial Number | Name of candidates | Symbol | Mark Order of Preference in spaces below |
|--------------------------------------|--------------------|--------|--|
| Number of Polling Station. | A | | |
| Number of elector on electoral roll. | B | | |
| | C | | |
| | D | | |
| | E | | |
| | F | | |

Instructions to electors.

A. Each elector has one vote and one vote only.

B. The elector votes—

- (a) by placing the figure "1" opposite the name of his first choice.

He is also invited to place—

- (b) the figure "2" opposite the name of his second choice;

- (c) the figure "3" opposite the name of his third choice, and so on, numbering as many candidates as he pleases in order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.

N.B.—The vote will be spoilt if the figure "1" is placed opposite the name of more than one candidate.

No. P. 4843—Ois. 8-82-21, dated 6—8th February 1933.

Under section 41 of the Code of Criminal Procedure, 1904, the second class powers conferred on Mr. Baleyle Narasimhiah, Honorary Special Magistrate of the Bench Court at Bangalore, in Notification No. P. 8828—Ois. 89-80-7, dated 11th December 1930 are hereby withdrawn.

No. P. 4874—Pol. 189-82-2, dated 7—9th February 1933.

The Government of His Highness the Maharaja are pleased to direct that the following be inserted as item No. 6, in Schedule III of the Mysore Arms Rules, 1926:

6. Superintendent, Imperial Institute of Animal Husbandry and Dairying, Bangalore. One 12 bore double barrelled breach loading gun (Government property).

No. 2440—P. P. 58-82-2, dated 10th February 1933.

The undermentioned Press Communiqué dated 24th December 1932, issued by the Government of India, Home Department, is republished for information:

In connection with the Indian Police Service Examination held in England in June last, certain students of Asiatic domicile who had proceeded to that country for the express purpose of competing at the examination, declared that they were unaware when they left India that the regulations governing the examination restricted admission to the London Examination to candidates of non-Asiatic domicile and those candidates of Indian or Burmese domicile who have been resident in the United Kingdom for a period of not less than 5 years before the examination. After 1933 the London Examination will be confined to candidates of non-Asiatic domicile. The only examination for the Indian Police Service to which candidates domiciled in India or Burma can be admitted are those conducted annually by the Public Service Commission in the various provincial centres in India.

No. P. 4400—Pol. 112-82, dated 9th February 1933.

Applications are invited for direct recruitment as Probationers in the Police Department. The number of appointments to be made will be two.

2. Candidates must have graduated in Arts, or Science or Commerce in an Indian or other University. They must not be over 25 years of age on 1st March 1933, but in the case of candidates of backward communities, the age limit will be relaxed up to 28 years. They must be natives of Mysore by birth or domicile.

Note.—A person acquires a domicile in Mysore when he has voluntarily fixed the habitation of himself and his family therein, not for mere special or temporary purposes but with the present intention of making it his permanent home. A continued residence for five years shall be *prima facie* evidence of having acquired a domicile.

3. Applications should be submitted in the appended form, printed copies of which can be had from the Chief Secretary to Government. They should be addressed to the Chief Secretary to Government by official designation (and not by name) and sent so as to reach him on or before the 28th February 1933.

4. Every candidate should forward with his application the following certificates:

1. (i) The original horoscope of the applicant, or declaration as to his age sworn before a Magistrate and attested by him; and
(ii) Authenticated extracts from the School and College Registers.
2. Two certificates as to the candidate's character, social status, etc., dated not earlier than 1st July 1932, from persons of known respectability (not a relative) who has been intimately acquainted with the candidate at least for the three preceding years.
3. A brief statement of the candidate's academic career with information as to prizes, medals, if any, won and proficiency in sports, social and other qualities, from the Head of the Institution from which the candidate took his degree.
4. Evidence showing that the candidate is a native of Mysore by birth or domicile.
5. The selection will be subject to medical examination as to the fitness of the candidate for executive work.
6. The selected candidates will be required to undergo a prescribed course of training for two years, during which period they should also qualify themselves by passing the prescribed examinations. They will, thereafter be appointed as Assistant Superintendents of Police on Rs. 150-25/2-250 as vacancies occur. During the period of probation, they will be paid a salary of Rs. 80 per mensem.

FORM OF APPLICATION FOR POLICE PROBATIONERS.

| | |
|---|--|
| 1. Name in full of candidate... | |
| 2. Father's name and occupation | |
| 3. Caste and Community | |
| 4. Date of birth and age, last birthday and place of birth. | |
| 5. Nature of evidence produced as to the correctness of the date of birth given. | |
| 6. Whether Mysorean by birth or domicile. | |
| 7. Examinations passed and year of passing. | |
| 8. Whether the required testimonials from two gentlemen of recognised standing have been attached. | |
| 9. Whether Principal's certificate as to the candidate's academic career, and the prizes and medals, if any, won by him, etc., has been attached. | |
| 10. Whether now in service and if so, where and in what capacity. | |
| 11. Address of the candidate .. | |

Station

Signature of candidate

Date.....

No. P. 4500—Cts. 7-32-18, dated 11—18th February 1938.

Under section 14 of the Code of Criminal Procedure, 1904, the Government of His Highness the Mahraraja are pleased to appoint Mr. Abdulla Sheriff, as Special Magistrate for the Bench Court at Mysore with the powers of a Magistrate of the Second Class, for a period of two years from 17th February 1938.

No. R.L. 5085—L. C. 18-82-1, dated 11th February 1938.

In exercise of the powers vested in them under section 6 of the Mysore Legislative Council Regulation XIX of 1928, the Government of His Highness the Maharaja are pleased to add the following clause as sub-clause to rule 2 of the rules issued with Notification No. Rel. 529—L. C. 12-29-1, dated 7th January 1930, issuing rules regarding the conduct of elections to the Legislative Council:—

"Savings Bank deposits or State Loan Bonds may also be accepted from candidates standing for election to the Legislative Council in lieu of cash deposit of Rs. 250, provided that form No. 1 of Annexure E of the Savings Bank rules (printed as annexure to this Notification) is signed by them authorising the Deputy Commissioner to treat the same as security deposit in the former case, and the bonds are endorsed in favour of the Comptroller in the case of the latter".

ANNEXURE E.

FORM 1.

(Rule 18).

No. dated 19

To

The Officer in charge of the Treasury

Sir,

at.....

I have the honour to apprise you that I have authorised the Deputy Commissioner of District to treat the sum of Rs. 250 deposited by me in the Savings Bank at your treasury as security to Government, on behalf of myself/A. B. I agree that the same will not be payable to me until I shall produce to you the express written sanction of the Deputy Commissioner of District for payment of the same. I have also agreed not to object to the payment by you of the whole or part of this deposit to the Deputy Commissioner of District upon his claiming it, and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the Deputy Commissioner of District or from the date on which the Deputy Commissioner of District shall have revoked the authority to your treasury to pay me/A. B. the interest.

I have the honour to be,

Sir,

Your most obedient servant,

Place.....

(Signature of Depositor).....

Date..... 19

(Designation of Depositor).....

No. R.L. 5086—R. A. 18-82-1, dated 11th February 1938.

In exercise of the powers vested in them under section 6 of the Mysore Representative Assembly Regulation XVIII of 1928, the Government of His Highness the Maharaja are pleased to add the following clause as sub-clause to rule 2 of the Rules issued with Notification No. Rel. 527—R. A. 88-29-1, dated 6th January 1930, issuing rules regarding the conduct of elections to the Representative Assembly:—

"Savings Bank deposits or State Loan Bonds may also be accepted from candidates standing for election to the Representative Assembly in lieu of cash deposit of Rs. 150 provided that Form No. 1 of Annexure E of the Savings Bank rules (printed as annexure to this Notification) is signed by them authorising the Deputy Commissioner to treat the same as deposit in the former case, and the bonds are endorsed in favour of the Comptroller in the case of the latter".

ANNEXURE E.

FORM 1.

(Rule 18).

No. dated, 19

To

The Officer in charge of the treasury

at.....

Sir,

I have the honor to apprise you that I have authorised the Deputy Commissioner of District to treat the sum of Rs. 150 deposited by me in the Savings Bank at your treasury as security to Government, on behalf of myself/A. B. I agree that the same will not be payable to me until I shall produce to you the express written sanction of the Deputy Commissioner of District for payment of the same. I have also agreed not to object to the payment by you of the whole or part of this deposit to the Deputy Commissioner of District upon his claiming it, and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the Deputy Commissioner of District or from the date on which the Deputy Commissioner of District shall have revoked the authority to your treasury to pay me/A. B. the interest.

I have the honour to be,

Sir,

Your most obedient servant,

Place,

(Signature of Depositor)

Date,

(Designation of Depositor)

No. Bl. 5087—R. A. 82-82-1, dated 18th February 1933.

In exercise of the powers vested in them under section 6 of the Mysore Representative Assembly Regulation, XVIII of 1928, the Government of His Highness the Maharaja are pleased to lay down the following rule regarding the interpretation of the electoral rules issued under the said Regulation:

"If any question arises as to the interpretation of the electoral rules otherwise than in connection with an election inquiry held thereunder, the question shall be referred for the decision of the Government and its decision shall be final."

No. Bl. 5088—L. C. 14-84-1, dated 18th February 1933.

In exercise of the powers vested in them under section 6(1) of the Mysore Legislative Council Regulation, XIX of 1928, the Government of His Highness the Maharaja are pleased to lay down the following rule regarding the interpretation of the electoral rules issued under the said Regulation:

"If any question arises as to the interpretation of the electoral rules otherwise than in connection with an election enquiry held thereunder, the question shall be referred for the decision of the Government, and its decision shall be final."

No. Bl. 5089—R. A. 83-82-1, dated 18th February 1933.

In exercise of the powers vested in them under section 6 of the Mysore Representative Assembly Regulation, XVIII of 1928, the Government of His Highness the Maharaja are pleased to issue the following amendments to the rules referred to in the notification indicated herein:

(i) In rule 1 of the rules issued with Notification No. P. 2896—Legis. 12-23-3, dated 7th November 1928, for the words "according to the census of 1921" substitute the words "according to the last census" and delete the words "Table No. XIII of 1921" in lines 2 and 3 of this rule.

No. Bl. 5090—R. A. 8-84-7, dated 14th February 1933.

A casual vacancy having occurred in the Representative Assembly on account of the death of Dharmaprasada Rao Bahadur D. Banumiah, Representative Assembly Member, Mysore City Urban Constituency, Government are pleased to direct under rule 8 of the rules published with Notification No. 8867—Legis. 12-23-15, dated 11th January 1924 that there shall be an election of a member to the Assembly from the Mysore City Urban constituency to fill up the vacancy.

Under rule 1 of the rules regulating the conduct of elections to the Assembly from the Urban Constituencies issued with Notification No. Rel. 527—R. A. 38-29-1, dated 6th January 1930, Government are pleased to direct that the said election shall be held on Saturday the 8th April 1938.

Under rules 2 and 32 of the said rules, Government are further pleased to direct that persons who are desirous of standing for election shall furnish their names in writing along with treasury receipt for having deposited Rs. 150 in a Government treasury, to the President of the Mysore City Municipal Council not later than Friday the 10th March 1938.

The calendar of events in connection with the election will be as follows:—

| | |
|--|----------------------------|
| 1. Intimation by candidates of their intention to stand for election | (Friday) |
| 2. Despatch of Notification by the President, Mysore City Municipal Council, to the Compiler, <i>Mysore Gazette</i> , announcing the names of the candidates | 10th March 1938 (Friday) |
| 3. Publication of the said Notification in the Gazette | 17th March 1938 (Thursday) |
| 4. Date of election | 23rd March 1938 (Saturday) |
| 5. Report of the result of election to Government | 8th April 1938 (Wednesday) |
| 6. Publication of the result of election | 12th April 1938 (Thursday) |
| | 20th April 1938 |

No. P.L. 5092—P.L. 8-32-8, dated 14th February 1938.

A casual vacancy having occurred in the Representative Assembly on account of the death of Mr. Chandrasekhara Upadhyaya, Representative Assembly Member, Periapatna Rural Constituency, Government are pleased to direct under rule 8 of the Rules published with Notification No. 8867—Legis. 12-28-15, dated 11th January 1924, that there shall be an election of a member to the Assembly, from the Periapatna Rural Constituency to fill up the vacancy.

Under rule 1 of the rules regulating the conduct of elections to the Assembly from the Rural Constituencies issued with Notification No. Rel. 527—R. A. 38-29-1, dated 6th January 1930, Government are pleased to direct that the said election shall be held on Saturday the 8th April 1938.

Under rule 2 of the said rules, Government are further pleased to direct that persons who are desirous of standing for election shall furnish their names in writing, along with treasury receipt for having deposited Rs. 150 in a Government Treasury, to the Deputy Amildar, Periapatna Sub-Taluk not later than Friday the 10th March 1938.

The Calendar of events in connection with the election will be as follows:—

| | |
|--|----------------------------|
| 1. Intimation by candidates of their intention to stand for election | (Friday) |
| 2. Despatch of Notification by the Deputy Commissioner, Mysore District, to the Compiler, <i>Mysore Gazette</i> , announcing the names of the candidates | 10th March 1938 (Friday) |
| 3. Publication of the said Notification in the Gazette | 17th March 1938 (Thursday) |
| 4. Date of election | 23rd March 1938 (Saturday) |
| 5. Report of the result of election to Government | 8th April 1938 (Wednesday) |
| 6. Publication of the result of election | 12th April 1938 (Thursday) |
| | 20th April 1938 |

No. P. 4508—P.L. 109-32-8, dated 11—14th February 1938.

In exercise of the powers conferred by proviso (b) to sub rule 8 of Rule 19 of the Mysore Arms Rules, 1926 the Government of His Highness the Maharaja are pleased to empower the Special Magistrate, Kolar Gold Field, to renew licenses in Form IX granted under rule 13, within the limits of the Kolar Gold Field Sanitary Board area.

The power to renew such licenses conferred on the Amildar, Bowringpet Taluk, under Notification No. P. 8459—P.L. 52-26, dated 17th January 1937, is hereby withdrawn in respect of the said area.

By Order,

N. MADHAVA RAO,
Chief Secretary to Government.